



Traffic Accidents in Korea



PURPOSE: To provide background information on traffic accidents in Korea.

DISCUSSION:

1. Periodically review your SOFA Card, USFK FL 1EK, 1 JUL 00. It contains information on what to do and whom to call if you become involved in an incident involving Korean authorities.
2. Traffic accidents in Korea are dealt with in ways that may seem strange to Americans. It is in your best interests to have the Military Police (MP) arrive at the scene while all parties are still present, even if there are no apparent injuries. MP Traffic Accident Investigators understand the unique rules which apply in Korea.
3. If you are involved in an accident resulting in injury or damages you should provide the information contained in your driver's license to the other party. If you are operating a government vehicle you should present the USFK 241EK "Government Driver's Card," which explains that you are not required to carry private insurance and that compensation may be settled by the US Armed Forces Claims Service.
4. If you are unable to provide the required information to the other party and there are no law enforcement personnel present, ensure you report the accident the MPs and Korean police.
5. When involved in an accident with an unattended vehicle, attempt to locate the owner and provide him your name, registration number, and address. If the owner cannot be found, leave the information in a conspicuous place on the vehicle. The driver should also report the accident to the Korean and military police.
6. Do not leave the scene of an accident without authorization from the local police. Leaving the scene of an accident is a serious crime that is strictly enforced in the ROK.
7. Cooperate with the local police. They have the authority to detain you. Show the police your SOFA card. If asked, show the police your military identification card and driver's license. The police are not to retain these documents. If they take possession and refuse to return them to you, do not resist, and inform the Military Police.
8. If operating a POV, notify your insurance carrier as soon as possible.
9. If you are at fault in an accident with injuries, you will likely be placed on international hold until the case is resolved. Military members will be given a written order not to leave Korea until cleared to do so. SOFA civilians may request that USFK assume custody from the ROKG. As a condition of accepting custody from the ROKG, SOFA civilians are required to surrender their passports to USFK. If they do not wish to surrender their passport, custody will not be accepted from the ROKG. SOFA personnel will never surrender their US passport to the ROKG.
10. SOFA members often do or say things which are misunderstood by some as an admission of guilt, even if that is not the intent of the statement or act. If the investigation is being conducted by the Korean police and you are suspected of committing a crime, you have the right to have a US representative present when being questioned.
11. If you are involved in a traffic accident and desire legal assistance, contact your local legal assistance office. The International Affairs Division, Office of the Judge Advocate, USFK, provides direct coordination with the ROKG and assists SOFA members involved in international incidents.

This handout is for general informational purposes only. For specific questions concerning individual circumstances contact the Yongsan Legal Assistance Office at 738-6841 or the International Affairs Division, Office of the Judge Advocate, USFK, at 723-8707.